CITY OF SAN JOSE LOBBYIST REPORT  SEE INSTRUCTIONS ON REVERSE File Original with the City Clerk	For Official Use Only	CHAILE OF SAVINGS OF S
☐ This is a Registration Report.		Page of
☐ This is a Quarterly Report covering the period:		. 490
January 1-March 31, (Due by Apr 15th)		
☐ April 1-June 30, (Due by Jul 15 <sup>th</sup> )		
July 1-September 30, (Due by Oct 15th)		
October 1-December 31, (Due by Jan 15 <sup>th</sup> )		
☐ This is an AMENDMENT to the Lobbyist Report filed:	·	
☐ This is a TERMINATION Report effective as of:	·	
NAME OF LOBBYIST:		
BUSINESS ADDRESS: (Number and Street) (City) (State	e) (Zip Code)	TELEPHONE NUMBER:
		FAX NUMBER:
		( )
MAILING ADDRESS: (If different than above)		E-MAIL:
Loct Undated 11/10/2007		City of Conclosed John Set Demand
Last Updated 11/19/2007	(	City of San Jose Lobbyist Report - 1

### TO COMPLETE THE REPORT:

- If this is the initial registration, check the box marked "Registration Report."
- If you have filed a Registration Report and this is a report to disclose information regarding a particular quarter, check the box marked "Quarterly Report", and the applicable calendar quarter covered by the report. (Quarterly reports are due by the 15th of the month following the close of each quarter. Penalties of \$50/day apply thereafter.)
- If this is an amendment to a previously filed report, check the box for "AMENDMENT" and indicate the date of the report that is being amended. ATTACH ONLY THE PAGES WITH THE NEW INFORMATION.
- If you have terminated of all lobbying activity, check the box marked "TERMINATION Report" and indicate the date when you ceased all lobbying activity.
- Enter the Lobbyist information including name, address, telephone and facsimile numbers, and electronic mail address.
- A Lobbyist may be any person that meets the following definitions:

A Contract Lobbyist (either an entity or an individual) engages in lobbying activity on behalf of one or more clients and has received or entered into an agreement for compensation of \$1,000 or more for services that include lobbying activity during any consecutive 3 month period.

A Contract Lobbyist has a choice of registering as an entity or individual. For example, if Mr. Smith and Ms. Jones are employed by a firm ACME Inc. to engage in lobbying activity on behalf various clients, Mr. Smith and Ms. Jones may register separately as individuals who qualify as Contract Lobbyists or register ACME Inc., the entity, as the Contract Lobbyist and list themselves as persons that are engages in lobbying activity on the client's behalf.

An **In-House Lobbyist** (the business or organization) engages in lobbying activity through its owners, compensated officers, or compensated employees and whose aggregate time engaging in lobbying activity on behalf of the business or organization are 10 hours or more in any consecutive 12 month period.

**Note:** An employee who engages in lobbying activity on his or her own initiative without being compensated for the time may petition City Officials or City Official-Elect regarding a legislative or administrative action affecting the In-House Lobbyist. The time spent by this employee would not be attributed to the 10 hours per any 12 consecutive month period threshold for qualifying as an In-House Lobbyist.

An Expenditure Lobbyist makes payments or incurs expenditures in the aggregate amount of \$5,000 or more in a calendar year to carry out public relations, advertising, or similar activity to urge other persons to communicate directly with a City Official to influence a legislative or administrative action. The \$5,000 threshold does not include compensation paid to Contract Lobbyists or In-House Lobbyists for lobbying activity; or dues, donations, or other economic consideration paid to an organization.

CIT	Y OF SAN JOSE LOBBYIST REPORT	Page	_ of
REP	ORT FOR EACH CATEGORY OF LOBBYIST: (Check <u>all</u> that apply)		
	CONTRACT LOBBYIST  Specify how the Contract Lobbyist is organized:  Sole Proprietorship Partnership Non-Profit Corporation For-Profit Corporation Other	⊇ <b>r</b>	
	Name of each person working for the Contract Lobbyist that is engaged in lobbying activity:		
	If the Lobbyist is a sole proprietor or partnership of fewer than five (5) persons, state the name(s) of the sole ownership interest in the business:		
	If the Lobbyist is a corporation (for-profit or non-profit), state the names of Officers and Agent for Service of	Process:	
	IN-HOUSE LOBBYIST  Specify how the In-House Lobbyist is organized:		
	Sole Proprietorship Partnership Non-Profit Corporation For-Profit Corporation Other Name of each owner, compensated officer, or compensated employee engaged in lobbying activity on behalf of		
	☐ If the Lobbyist is a sole proprietor or partnership of fewer than five (5) persons, state the name(s) of the sole ownership interest in the business:		
	☐ If the Lobbyist is a corporation (for-profit or non-profit), state the names of Officers and Agent for Service of	Process:	
	EXPENDITURE LOBBYIST  Specify how the Expenditure Lobbyist is organized:		
	Sole Proprietorship Partnership Non-Profit Corporation For-Profit Corporation Other	er	
	Name of each person working for the Expenditure Lobbyist that is engaged in lobbying activity (if applicable):		
	☐ If the Lobbyist is a sole proprietor or partnership of fewer than five (5) persons, state the name(s) of the sole ownership interest in the business:		
	☐ If the Lobbyist is a corporation (for-profit or non-profit), state the names of Officers and Agent for Service of	Process:	
	This page may be duplicated. If more space is needed, check box and fill out a duplicate continuation s	sheet	

### TO COMPLETE THE REPORT:

- Check all applicable type(s) of Lobbyist and proceed to fill out the corresponding section(s) requesting information for each type of Lobbyist checked.
- Check the box describing how the Lobbyist is organized. If none of the boxes are applicable, check "Other" and describe how it is organized.
- If the Lobbyist is registered as an entity and not an individual, list the name of each person that is engaged in lobbying activity:

Contract Lobbyist: Identify the name of each person working for the Contract Lobbyist to engage in lobbying activity. The person may be an individual employed by the Contract Lobbyist, an individual working as an independent contractor for the Contract Lobbyist, or an entity that has a subcontract with the Contract Lobbyist, to engage in lobbying activity. In addition, if the independent contractor or subcontractor meets the \$1,000 threshold for compensation during any 3 consecutive month period, they must separately register as Contract Lobbyists and identify the Clients they represent. In this instance, the independent contractor or subcontractor may not be directly compensated by the Client whose interest they are advancing but by the Contract Lobbyist that had the initial arrangement with the Client.

**In-House Lobbyist:** Identify the name of each owner, compensated officer, and compensated employee of the In-House Lobbyist engaged in lobbying activity on behalf of the In-House Lobbyist.

- If the Lobbyist type is a sole proprietorship or partnership of fewer than 5 persons, check the box and list the name of the sole proprietor or the names of each person with an ownership interest in the business.
- If the Lobbyist type is a corporation, check the box and list the names of the officers and the agent for service of process.

# **Exemptions from the Lobbyist Regulations**

The individuals engaged solely in the following activities are not Lobbyists:

- A public official acting in his or her official capacity.
- A person engaged solely in publication or broadcasting in news items, editorials, or commentary which directly or indirectly urges governmental action.
- A person hired by the City of San Jose or City of San Jose Redevelopment Agency.

- A person who prepares documents for approval by the City under the California Environmental Quality Act of 1970 and San Jose Municipal Code Title 21.
- A person invited, for the purpose of giving testimony, by the City or Redevelopment Agency.
- The owner of a business whose attempts to influence a governmental action are on behalf of the business and who meets three criteria. The three criteria are (1) the owner or business has not made or solicited contributions for the elected official contacted, or a candidate or independent expenditure committee at the behest of the elected official contacted, in an amount over \$1,000 within the last 12 months in a City election; (2) the owner or business has not retained a person to engage in lobbying activity on behalf of the owner or business; and (3) the officers or employees of the business have not engaged in lobbying activity on behalf of the owner or business.
- A person whose attempts to influence governmental action are limited to publicly appearing at a public meeting and/or preparing, processing, or submitting documents in connection with a public meeting.
- A person whose sole activity includes submitting a bid on a competitively bid contract; submitting a written response to a request for proposals or qualifications; participating in an oral interview for a request for proposals or qualifications; and/or negotiating the terms of an agreement with the City or Redevelopment Agency Official authorized to negotiate such agreement.
- A person who meets with City Officials solely to lodge a complaint relating to improper governmental activity.
- A person who meets with the City Attorney or City Clerk regarding a claim or litigation matter, negotiation of any agreements with the City, or requirements or interpretations of San Jose Municipal Code Chapter 12.16.
- Uncompensated members or uncompensated members of the board of directors of non-profit organizations.
- Members of neighborhood associations, Neighborhood Advisory Committees, or Project Area Committees.
- Persons whose communications are solely related to collective bargaining and proceedings before the Civil Service Commission.
- A person whose communications with City Officials are solely in connection with the administration of a City or Redevelopment Agency agreement.
- Compensated officers or employees of a non-profit organization with tax exempt status under Section 501(c) (3) of the Internal Revenue Code whose attempts to influence governmental action are on behalf of the organization.

SECTION I. CONTRACT LOBBYIST CLIENT INFORMATION	Page of		
CLIENT INFORMATION			
Client Name, Address and Telephone Number	Effective Date		
Describe the nature and purpose of the Client's business.			
THE LEGISLATIVE OR ADMINISTRATIVE ACTION(S) THE CONTRACT LOBBYIST SEEKS TO INFLUENCE			
Describe in <u>detail</u> the legislative or administrative action(s) the Contract Lobbyist was retained to influence and	the outcome sought.		
1			
2			
3			
4			
CONTACT INFORMATION			
City Official Contacted:Individual Who Made Contact:			
Identify Action:			
Date(s) of Contact:			
Contacts (1) (2-5) (6-10) (11 or more)			
City Official Contacted:Individual Who Made Contact:			
Identify Action:			
Date(s) of Contact:			
Contacts (1) (2-5) (6-10) (11 or more)			
City Official Contacted:Individual Who Made Contact:			
Identify Action:			
Date(s) of Contact:			
Contacts (1) (2-5) (6-10) (11 or more)			
COMPENSATION  A disclosure (Form D) was filed with the Office of the City Clark regarding all contingent compensation area.	ngamanta with this Client		
A disclosure (Form D) was filed with the Office of the City Clerk regarding all contingent compensation arrangements with this Client			
by: (Name of Filer)			
The total compensation promised or received from the Client for lobbyist services:			
\$0 \$1-\$500 \$1,001-\$10,000 \$100,001-\$200,000 \$3	00,001-\$400,000		
□ \$501-\$1,000 □ \$10,001-\$100,000 □ \$200,001-\$300,000 □ Ov	ver \$400,001		
☐ This page may be duplicated. If more space is needed, check box and fill out a duplicate continuation sheet.			

# Section I. Contract Lobbyist Client Information:

• List the name, address, and telephone number of the Client. Specify the date when the Contract Lobbyist was retained to represent the Client. If the Contract Lobbyist has more than 1 Client, a separate page should be filled out for each Client.

A **Client** is any person who compensates the Contract Lobbyist for representation.

Compensation is any economic consideration for services rendered or to be rendered in the future. For example, compensation may include a payment, distribution transfer, loan advance, deposit, money, property, services, or anything else of value (monetary or non-monetary).

**Note:** For the Quarterly Report, a Contract Lobbyist does not need to disclose a Client for whom no lobbying activity has occurred in the preceding calendar quarter (i.e. the quarter covered by the report).

- Describe the nature and purpose of the Client's business.
- Describe in detail the legislative or administrative action(s) the Contract Lobbyist was retained to influence and the outcome sought.

A Legislative action includes the drafting, introduction, consideration, modification, enactment or defeat of a resolution, ordinance, amendment thereto, report, nomination, or other action of the Mayor, City Council, Redevelopment Agency, or City board, commission, task force, or joint powers authority.

An **Administrative action** is the proposal, drafting, development, consideration, advocacy, recommendation, adoption, amendment or approval of any rule, regulation, agreement, contract, permit, license or hiring action.

- Fill in the name of each City Official or City Official-Elect contacted.
- Fill in the name of the individual who made the contact.
- Identify the action the individual was trying to influence.
- Fill in the date(s) of contact.
- Check the box for the number of contacts made by the individual with that City Official or City Official-Elect.

A **Contact** is attendance at a meeting or any communication (direct or through an agent of the Lobbyist), with a City Official or City-Official-Elect for the purpose of influencing a legislative or administrative action. The communication may be oral, electronic or in writing.

A City Official includes the Mayor, Council members, and their staff; Redevelopment Agency Board Members; members of the Planning Commission, Appeals Hearing Board, and Civil Service Commission; any City representative to a joint powers authority where the City is a party; the City Manager, Assistant City Managers, and Deputy City Managers; Executive Director of the Redevelopment Agency and his or her Assistant and Deputies; City department heads; and Redevelopment Agency division heads.

A City Official-Elect is any person elected but not yet sworn into a City office.

**Note:** A list of City Officials is available for review at the Office of the City Clerk. This list is complete as of the date indicated. Lobbyists should inquire with the Office of the City Clerk if they have any questions regarding individuals or positions not on the list.

- If the Contract Lobbyist has a contingent compensation arrangement for non-lobbying services (e.g. legal services, brokerage services, and engineering services) with the Client listed on this page, check the box and fill in the spaces provided indicating the Contingent Compensation Disclosure (Form D) was filed and specify the name of the filer. After August 1, 2007, a Lobbyist may not accept compensation for lobbying services that is contingent on the outcome of a legislative or administrative action. Contingent compensation for non-lobbying services, however, is not prohibited but must be disclosed.
- Check the box indicating the range of compensation promised or received (including contingent compensation) from the Client listed on this page.
- If additional space is needed for any portion of Section I, a duplicate may be made of the page to attach as a continuation sheet.

SECTION II. IN-HOUSE LOBBYIST	Page of		
THE NATURE OF THE BUSINESS, ORGANIZATION OR ASSOCIATION.			
Describe the nature and purpose of the business, organization or association.			
THE LEGISLATIVE OR ADMINISTRATIVE ACTION(S) THE IN-HOUSE LOBBYIST SEEKS TO INFLUENC	E.		
Describe in <u>detail</u> the legislative or administrative action(s) the In-House Lobbyist seeks to influence and the	outcome sought.		
1			
2			
3			
4			
CONTACT INFORMATION			
City Official Contacted:Individual Who Made Contact:Identify Action:			
Date(s) of Contact:			
Contacts (1) (2-5) (6-10) (11 or more)			
City Official Contacted:Individual Who Made Contact:			
Identify Action:			
Date(s) of Contact:			
Oth Official Contacts d			
Identify Action:			
Date(s) of Contact:			
City Official Contacted:Individual Who Made Contact:Identify Action:			
Date(s) of Contact:			
Contacts (1) (2-5) (6-10) (11 or more)			
CONTINGENT COMPENSATION DISCLOSURE			
A disclosure (Form D) was filed with the Office of the City Clerk regarding all contingent compensation arrangements with owners, officers and employees engaged in lobbying activity on its behalf. This disclosure was filed by			
(Nan	ne of Filer)		
This page may be duplicated. If more space is needed, check box and fill out a duplicate continuation s	heet.		

# Section II. In-House Lobbyist

- Describe the nature and purpose of the In-House Lobbyist business, organization or association.
- Describe in detail the legislative or administrative action(s) the In-House Lobbyist seeks to influence and the outcome sought.

A Legislative action includes the drafting, introduction, consideration, modification, enactment or defeat of a resolution, ordinance, amendment thereto, report, nomination, or other action of the Mayor, City Council, Redevelopment Agency, board, commission, task force, or joint powers authority.

An **Administrative action** is the proposal, drafting, development, consideration, advocacy, recommendation, adoption, amendment or approval of any rule, regulation, agreement, contract, permit, license or hiring action.

- Fill in the name of each City Official or City Official-Elect contacted.
- Fill in the name of the individual who made the contact.
- Identify the action the individual was trying to influence.
- Fill in the date(s) of contact.
- Check the box for the number of contacts made by the individual with that City Official or City Official-Elect.

A **Contact** is attendance at a meeting or any communication (direct or through an agent of the Lobbyist), with a City Official or City-Official-Elect for the purpose of influencing a legislative or administrative action. The communication may be oral, electronic or in writing.

A City Official includes the Mayor, Council members, and their staff; Redevelopment Agency Board Members; members of the Planning Commission, Appeals Hearing Board, and Civil Service Commission; any City representative to a joint powers authority where the City is a party; the City Manager, Assistant City Managers, and Deputy City Managers; Executive Director of the Redevelopment Agency and his or her Assistant and Deputies; City department heads; and Redevelopment Agency division heads.

A **City Official-Elect** is any person elected but not yet sworn into a City office.

**Note:** A list of City Officials is available for review at the Office of the City Clerk. This list is complete as of the date indicated. Lobbyists should inquire with the Office of the City Clerk if they have any questions regarding individuals or positions not on the list.

- If the In-House Lobbyist has a contingent compensation arrangement for non-lobbying services (e.g. legal services, brokerage services, engineering services) with an owner, officer, or employee listed on this page, check the box and fill in the spaces provided indicating that a Contingent Compensation Disclosure (Form D) was filed and the name of the filer. After August 1, 2007, the owner, compensated officer, or compensated employee may not accept compensation for lobbying services that is contingent on the outcome of a legislative or administrative action. Contingent compensation for non-lobbying services, however, is not prohibited but must be disclosed.
- If additional space is needed for any portion of Section II, a duplicate may be made of the page to attach as a continuation sheet.

SECTION III. EXPENDITURE LOBBYIST	Page	_ of
THE LEGISLATIVE OR ADMINISTRATIVE ACTION(S) LOBBYIST SEEKS TO INFLUENCE		
Describe in <u>detail</u> the legislative or administrative action(s) the Expenditure Lobbyist seeks to influence and the	ne outcome s	sought.
1		
2		
3		
4		
AMOUNT OF PAYMENT OR EXPENDITURE		
<b>\$</b>		
CONTACT INFORMATION (if applicable)		
City Official Contacted:Individual Who Made Contact:		
Identify Action:		
Date(s) of Contact:		
City Official Contacted:Individual Who Made Contact:		
Identify Action:		
Date(s) of Contact:		
City Official Contacted:Individual Who Made Contact:		
Identify Action:		
Date(s) of Contact:		
Contacts (1) (2-5) (6-10) (11 or more)		
City Official Contacted:Individual Who Made Contact:Individual Who Made Contact:		
Date(s) of Contact:		
Contacts (1) (2-5) (6-10) (11 or more)		
City Official Contacted:Individual Who Made Contact:Identify Action:		
Date(s) of Contact:		
Contacts (1) (2-5) (6-10) (11 or more)		
City Official Contacted:Individual Who Made Contact:		
Identify Action:		
Contacts (1) (2-5) (6-10) (11 or more)		
This page may be duplicated. If more space is needed, check box and fill out a duplicate continuation sh	eet.	

# Section III. Expenditure Lobbyist

• Describe in detail the legislative or administrative action(s) the Expenditure Lobbyist seeks to influence and the outcome sought.

A Legislative action includes the drafting, introduction, consideration, modification, enactment or defeat of a resolution, ordinance, amendment thereto, report, nomination, or other action by the City Council, Redevelopment Agency, board, commission, task force, or joint powers authority.

An Administrative action is the proposal, drafting, development, consideration, advocacy, recommendation, adoption, amendment or approval of any rule, regulation, agreement, contract, permit, license or hiring action.

• Specify the amount of the payment or expenditure for the qualifying activity. Qualifying activity includes any public relations campaign, advertising or similar activities for the purpose of soliciting or urging other persons to communicate directly with a City Official to influence a legislative or administrative action.

# If applicable:

- Fill in the name of each City Official or City Official-Elect contacted.
- Fill in the name of the individual who made the contact.
- Identify the action the individual was trying to influence.
- Fill in the date(s) of contact.
- Check the box for the number of contacts made by the individual with that City Official or City Official-Elect.

A **Contact** is attendance at a meeting or any communication (direct or through an agent of the Lobbyist), with a City Official or City-Official-Elect for the purpose of influencing a legislative or administrative action. The communication may be oral, electronic or in writing.

A City Official includes the Mayor, Council members, and their staff; Redevelopment Agency Board Members; members of the Planning Commission, Appeals Hearing Board, and Civil Service Commission; any City representative to a joint powers authority where the City is a party; the City Manager, Assistant City Managers, and Deputy City Managers; Executive Director of the Redevelopment Agency and his or her Assistant and Deputies; City department heads; and Redevelopment Agency division heads.

A **City Official-Elect** is any person elected but not yet sworn into a City office.

**Note:** A list of City Officials is available for review at the Office of the City Clerk. This list is complete as of the date indicated. Lobbyists should inquire with the Office of the City Clerk if they have any questions regarding individuals or positions not on the list.

• If additional space is needed for any portion of Section III, a duplicate may be made of the page to attach as a continuation sheet.

IV.	ADDITIONAL DISCLOSURES	Page	_ of
	I have reviewed the schedules and forms and I have nothing to report.		
	Attached to this Report is/are the following Schedule(s) or Form(s): (check all that apply)		
	Schedule A – Campaign/Officeholder Contributions, Independent Expenditure, Fundraising,	Donation	
	☐ Schedule B – Payment for Consultant or Other Services		
	☐ Schedule C – Activity Expenses		
	☐ Form D – Lobbyist Disclosure of Contingent Compensation (May File Separately)		
	Form E – Lobbyist Annual Registration and Client Renewal		
	☐ Form F – Contract Lobbyist Client Notice of Termination (May File Separately)		
	Form G – Contract Lobbyist Notice of New Client (May File Separately)		
V.	FEES DUE		
	Lobbyist Registration Fee (January 1 – June 29) (\$350)	\$	_
	Pro -Rated Registration Fee (June 30 – December 31) (\$175)	\$	_
	Contract Lobbyist Client Fee (\$60) x Number of Clients ()	\$	_
	Form E: Annual Lobbyist Registration Renewal (\$350)	\$	
		\$	_
	Total Payment Due With Report	\$	_
No	te: Consult with the Office of the City Clerk to determine if you are subject to late fees in addition to the pay	yment due a	above.
	VERIFICATION		
I certify that I have been authorized by the Lobbyist identified above to make this verification. I have reviewed the requirements of the provisions of the San Jose Municipal Code (Chapter 12.12). I certify under penalty of perjury under the laws of the State of California that I have reviewed this Lobbyist Report and to the best of my knowledge the information contained herein is true and complete.			
Prin	it Name Title		
Sigr	nature Executed On		
-	nature Executed On (month, day,	year)	

### Section IV. Additional Disclosures

- If the Lobbyist has reviewed the instructions for all of the schedules and forms and has determined there is nothing to report, check the first box indicating the same and proceed to Section V.
- If the Lobbyist has reviewed the instructions for all of the forms and instructions and has determined that there is reportable activity, check the box and specify which schedules or forms are attached.
- For the Quarterly Report due on January 15, a Lobbyist that plans to continue to engage in lobbying activity must complete and attach Form E (Lobbyist Annual Registration and Client Renewal).
- If the Contract Lobbyist has terminated a Client in the quarter covered by this report, the Contract Lobbyist must complete and attach Form F (Contract Lobbyist Client Notice of Termination), to the Quarterly Report. This form does not need to be attached if it was filed separately during the quarter. Lobbying activity during the quarter on behalf of a terminated client must still be disclosed on the Quarterly Report.

### Section V. Fees Due

- If the Registration Report should have been filed between January 1 and June 29, the Lobbyist must pay the annual registration fee of \$350. If the Lobbyist is not required to register until on or after June 30 of the calendar year, the Lobbyist may pay a prorated annual registration fee of \$175.
- An initial **Client Fee** of \$60 is due for any Client that compensates the Contract Lobbyists in an amount greater than \$500.
- If the Lobbyist is renewing the annual registration, check the box for the Annual Registration Renewal Fee of \$350 and attach Form E (Annual Registration Renewal) to the Quarterly Report due on January 15.
- If a Client, for whom the Contract Lobbyist has paid a Client Fee in the last calendar year, will continue to retain the

Contract Lobbyist in the current calendar year, the box for the Annual Client Fee Renewal of \$60 must be checked and a Form E (Annual Client Renewal) must be attached to the Quarterly Report due on January 15.

### Verification

Complete the verification by signing the statement and entering the date signed. When you sign, you are stating, under penalty of perjury that to the best of your knowledge the information contained herein is true and complete. Do not alter the verification statement. Contingent Compensation Disclosure Forms with altered verification statements will not be accepted by the Office of the City Clerk.

Submit the originally signed Lobbyist Report to the Office of the City Clerk. An unsigned Lobbyist Report will be deemed unfiled.